

Superior Court of California  
County of Alameda  
**Families & Children's Bureau**

**CHILD CUSTODY MEDIATION: WHAT YOU SHOULD KNOW**

Experienced mediators in the Child Custody Mediation Services work closely with the Superior Court's judicial officers who hear family law cases. Mediators assist parents in matters relating to child custody, visitation and **guardianship**. The goal of mediation is to help parents negotiate a mutually satisfactory parenting plan for their children and to agree on rules to make the plan succeed.

1. A mediator does not investigate crimes or allegations of child abuse. These issues will be referred to the police and/or child welfare agencies that conduct investigations.
2. A mediator will read documents provided by a parent *only if there is verification that the other parent has seen those documents*. This rule includes hand-delivered, faxed or mailed materials. Materials that may be reviewed include reports from police, child protective services, therapists or schools.
3. Separate appointments may be requested when there is a history of domestic violence or when there is a restraining order in place that protects one party from the other party.
4. A mediator cannot have private discussions with parents or their attorneys on matters related to custody and visitation unless separate appointments have been scheduled.
5. The amount of time a mediator can give to each family is strictly limited. Your case may require not only meetings, but also document review, report writing, telephone calls and contact with the court. If you want additional mediation services, a mediator or the court can refer you to an appropriate agency or individual in the community.
6. A mediator or a judge will determine whether children are to be interviewed. Children are not to be brought to court, to orientation meetings, or to mediation sessions without prior approval.
7. A mediator cannot enforce court orders or give legal advice. The court and the police deal with enforcement issues. Only attorneys can give legal advice, including advice about enforcement of court orders.
8. Parents must arrive on time for their mediation appointment. The mediator may conduct a meeting if only one parent attends and the information provided by that parent will be sent to court. The mediator will inform the Court if a parent fails to attend mediation without prior arrangement.
9. It is the responsibility of the parties to advise the court and the mediator of any changes in addresses or phone numbers.